

# memorandum

DATE : JAN 31 2003

REPLY TO OH:GRANDFIELD

OH-026 1-03

ATTN OF:

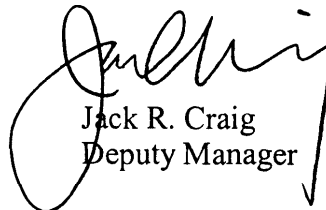
SUBJECT: OHIO FIELD OFFICE ANNUAL NATIONAL ENVIRONMENTAL POLICY  
ACT (NEPA) PLANNING SUMMARY

TO: Beverly Cook, Assistant Secretary, Environment, Safety and Health, EH-1, HQ

The attached Calendar Year (CY) 2003 NEPA Planning Summary for the Ohio Field Office (OH) is hereby submitted in response to your December 18, 2002 memorandum, and in compliance with Section 5.a.(7) of DOE Order 45 1.1B, "NEPA Compliance Program." This planning document addresses the NEPA activities for the five OH project sites in the states of Ohio and New York; namely, the Ashtabula Closure Project (ACP), the Columbus Closure Project (CCP), the Femald Closure Project (FCP), the Miamisburg Closure Project (MCP) in Ohio and the West Valley Demonstration Project (WVDP) in New York

As requested in your memo and required by Section 4.d. of the above Order, the attached NEPA Planning Summary describes for each Project: (1) the status of ongoing NEPA compliance activities; (2) any environmental assessments expected to be prepared in the next 12 months; (3) any environmental impact statements expected to be prepared in the next 24 months; and (4) the planned cost and schedule for completion of each NEPA review identified. A copy of this NEPA Planning Summary will be placed in the Public Reading Rooms of the five OH project sites.

If you have any questions on the attached summary, please contact Robert Grandfield, NEPA Compliance Officer, at (937) 865-3486.

  
Jack R. Craig  
Deputy Manager

Attachment

cc w/attachment:

Tom Williams, OH/ACPH

Tom Baillieul, OH/CCP

Steve McCracken, OH/FCP

Rick Provencher, OH/MCP

Alice Williams, OH/WVDP

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Carol Borgstrom, EH-42/HQ



rec'd  
2/13/03

## **Calendar Year 2003**

### **Annual NEPA Planning Summary**

for the

U.S. Department of Energy  
Ohio Field Office

Background: The U.S. Department of Energy (DOE) performs its National Environmental Policy Act (NEPA) compliance activities consistent with Title 10, Code of Federal Regulations (CFR), Part 102.1, "DOE NEPA Implementing Procedures." DOE Order 45.1.1B, "NEPA Compliance Program," requires all Departmental Secretarial Officers and Heads of Field Organizations to submit an annual NEPA planning summary to the Assistant Secretary for Environment, Safety & Health (EH-1) by January 31<sup>st</sup> of each year. The summary is also required to be made available to the public. DOE Order 45.1.1B requires that the summaries describe briefly:

- (1) the status of ongoing NEPA compliance activities;
- (2) any Environmental Assessments (EA) expected to be prepared in the next 12 months;
- (3) any Environmental Impact Statements (EIS) expected to be prepared in the next 24 months;
- (4) the planned cost and schedule for completion of each NEPA review identified; and
- (5) every three years, beginning in calendar year (CY) 1995, an evaluation of whether a site-wide EIS would facilitate future NEPA compliance efforts. This evaluation was last performed in CY 2001 and thus, is not a part of this year's summary.

The attached pages reflect the CY 2003 NEPA Planning Summary for the Ohio Field Office (OH), which is comprised of a support office and five project offices. Four of the project offices are located in the State of Ohio and include the Ashtabula Closure Project (ACP), the Columbus Closure Project (CCP), the Fernald Closure Project (FCP), and the Miamisburg Closure Project (MCP). The support office of the OH is currently co-located with the MCP, in Miamisburg, Ohio. The fifth project office, the West Valley Demonstration Project (WVDP), is located in the State of New York.

For Further Information: Questions regarding the attached CY 2003 NEPA Planning Summary for the Ohio Field Office should be directed to the following individual:

Mr. Robert J. Grandfield III  
NEPA Compliance Officer  
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Ohio Field Office  
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## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### Office for Compliance and Support

The NEPA Compliance Officer (NCO) in the Ohio Field Office (OH) support office, the Office for Compliance and Support, continues to process and approve Categorical Exclusion determinations for the MCP and FCP. In 1997, a NEPA Compliance Officer was designated for the WVDP, therefore, all Categorical Exclusion determinations for the WVDP are approved by that NCO at the project office site. The two NCOs consult with one another on WVDP or other OH project office NEPA compliance activities. Any Floodplain/Wetlands protection documents, generated by the above three OH project office sites in accordance with 10 CFR 1022, "DOE Regulations for Compliance with Floodplain/Wetlands Environmental Review Requirements," are also approved by the OH or WVDP NCO. Because the U.S. Nuclear Regulatory Commission (NRC) is the lead agency, with respect to NEPA compliance, at the NRC-licensed ACP, support office NCO involvement in day-to-day NEPA compliance activities at the ACP is extremely limited. ACP project office personnel are responsible for interfacing with NRC personnel on NEPA matters, as appropriate. At the fifth and final OH project office, the CCP, which is also an NRC-licensed facility, the NRC has chosen not to become the lead agency with respect to NEPA compliance. Instead, the NRC has accepted the site-wide Environmental Assessment (EA) prepared by the DOE and approved in April 1990 with the issuance of a Finding of No Significant Impact (FONSI). This EA was updated in 2000 and the OH Manager reaffirmed the validity of the corresponding FONSI on January 15, 2002. The CCP project office personnel are responsible for interfacing with NRC personnel on NEPA matters, as appropriate. The OH NCO processes and approves Categorical Exclusions for the ACP and CCP.

On August 8, 2001, the DOE Ohio Field Office issued three documents, OH P45 1.1-1, "NEPA Compliance Program," revision 2, OH P45 1.1-2, "NEPA Quality Program Plan," and OH P45 1.1-3, "NEPA Public Participation Plan." The QA and Public Participation Plans were new documents separated out from the NEPA Compliance Program procedure (which was revised) and made into individual procedures. The issuance of these documents was prompted, in part, by findings from a March 2001 NEPA self-assessment. Since several references used within these procedures had been recently revised or updated, a review of the OH procedures was necessary to assure accuracy and compliance with requirements. Therefore, these OH procedures were reviewed for compliance and consistency with all current applicable NEPA rules, policies, orders and guides during September 2002.

The following pages provide site-specific information on NEPA compliance activities at the five OH project office sites.

## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### Ashtabula Closure Project

Background: The RMI Titanium Company Extrusion Plant (RMI) is a privately owned facility in Northeastern Ohio. From 1962 to 1988, RMI received uranium billets and refined them into various shapes for fuel and target fabrication use by the DOE and its predecessor agencies. RMI also performed work for the U.S. Department of Defense and some commercial entities under a U.S. Nuclear Regulatory Commission (NRC) License. In 1990, all extrusion operations ceased and the project went into a surveillance and maintenance mode. All decommissioning and dismantlement of the facility will be conducted under the jurisdiction of the NRC. The prime contractor for the project is the RMI Titanium Company.

Pursuant to 10 CFR 42, upon cessation of production activities, RMI was compelled to decommission the facility to permit termination of the NRC license. Under the NRC licensing agreement, NRC has been designated the lead agency, with respect to NEPA compliance. DOE, as the funding agency, has become a “cooperating agency” for the NEPA process.

On November 9, 1993, the NRC amended License number SMB-602 to authorize pre-decommissioning activities at the RMI. At the same time, the NRC published an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) to allow pre-decommissioning activities, such as survey, cleanup and removal of equipment, in preparation for decommissioning work. Also authorized in this EA and FONSI is the handling and disposal of existing waste to DOE-designated disposal facilities.

In April of 1995, RMI submitted a Decommissioning Plan to the NRC. On August 28, 1995, the NRC published a Notice of Consideration of Amendment in the *Federal Register*. This notice stated that, prior to issuance of the proposed license amendment, NRC will make and publish findings in a Safety Evaluation Report and an Environmental Assessment. NRC published a FONSI for the Decommissioning activities on August 29, 1997.

No major DOE NEPA compliance activities occurred during CY 2002.

Status of Ongoing NEPA Compliance Activities: No major DOE NEPA compliance activities are planned for CY 2003.

Environmental Assessments planned in the next 12 months: There are no expectations of preparing an Environmental Assessment for the ACP within the next 12 months.

Environmental Impact Statements planned in the next 24 months: There are no expectations of preparing an Environmental Impact Statement for the ACP within the next 24 months.

Planned Cost and Schedule for NEPA Reviews identified above: There are no NEPA costs or schedules anticipated for the ACP during calendar year 2003.

## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### Columbus Closure Project

Background: The Columbus Closure Project (CCP) comprises two separate sites located in Franklin and Madison Counties in the State of Ohio. The King Avenue site is located in the City of Columbus, and the West Jefferson site is located approximately fifteen miles west of downtown Columbus. Fifteen buildings, or parts thereof, along with adjacent grounds became radioactively contaminated as a result of research performed for government and commercial clients over a period of 45 years. Research conducted at Battelle's facilities included: uranium ore processing; uranium machining; fuel element fabrication; reactor design; irradiated fuel studies; and nuclear shipment safety. The facilities are privately owned, and the clean-up effort is a cost-shared project between DOE (90%) and Battelle (10%).

Clean-up efforts at the King Avenue site were largely completed in 1998. As of the end of FY 2000, all planned decontamination was complete at Battelle's King Avenue site, and the condition of buildings and grounds had been independently verified as suitable for reuse without radiological restrictions. Since early 1998, work has focused on Battelle's former nuclear sciences center in rural West Jefferson, Ohio. This site included a decommissioned research reactor, a criticality laboratory, and a large hot cell facility. The highest contamination levels, and most significant radiation hazard, exist in the hot cells within the JN-1 Building at the West Jefferson site.

Status of Ongoing NEPA Compliance Actions: The government's responsibility at the Battelle site is restricted to removal of radioactive contamination and the disposal of resulting radioactive waste. In April 1990, an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) were issued by DOE covering all project activities. The decontamination and decommissioning effort at the Battelle facilities is also overseen by the U.S. Nuclear Regulatory Commission (NRC) and the Ohio Department of Health pursuant to the termination of Battelle's nuclear materials possession license, SNM-7. While NRC maintains regulatory control of Battelle's activities through an approved Decommissioning Plan, they have not chosen to become the lead agency for NEPA compliance; instead, they have accepted the DOE's April 1990 site-wide EA.

As major changes are made to the project baseline in terms of scope or technical approach, the impact analyses in the EA are re-examined to assure that the conclusions of the FONSI remain valid. In 2001, a re-evaluation of the EA and FONSI was conducted as part of an effort to revise the project's baseline plan. The conclusion of this review, certified by the Ohio NEPA Compliance Officer, and signed by the Ohio Manager, was that the current plan does not increase the potential impact to the environment, and that

the FONSI is still valid.

The review included an examination of the current plan for shipment of remote-handled TRU waste against the original EA concept to assure that transportation-related impacts are still bounded by the original analysis. Dose levels from the packaged waste remain unchanged as they are a function of limits assigned to Type B shipping casks. The number of shipments, however, will be greatly reduced from the original estimates because of: 1) success in reducing the volume of generated RH-TRU; and 2) the larger capacity of the shipping container currently under consideration.

In 2003, the project expects to prepare a Categorical Exclusion (B.1.30) to address the shipment of an irradiated MOX fuel test element to Savannah River for storage/reprocessing.

Environmental Assessments planned in the next 12 months: None

Environmental Impact Statements planned in the next 24 months: None. The Battelle facilities are neither government-owned nor leased. DOE has liability only for removal of radioactive contamination resulting from historic research activities. The project to remove radioactive material is 75% complete. Review of the original impact assessments in support of the project EA, as well as the current project baseline do not indicate future activities which would require a site-wide Environmental Impact Statement.

Planned Cost and Schedule for NEPA Reviews identified above: Any further NEPA reviews will be handled as part of the normal project environmental and regulatory compliance function.



## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### Fernald Closure Project

Background: Construction of the Fernald site began in 1954 during the Cold War. The plant was originally called the Feed Materials Production Center because it produced “feed” materials, including ingots, derbies, billets and fuel cores for other DOE sites in the nuclear weapons complex. The site was designed as a large-scale, integrated facility capable of converting uranium ore and recycled materials into uranium metal through a series of chemical and metallurgical conversions. Approximately 136 acres of the 1,050 acre site were used in the actual production process. The uranium extraction process resulted in an intermediate product called uranium trioxide, which was then converted to uranium tetrafluoride (“green salt”). Green salt and magnesium granules were subsequently blended in pots and heated. Once cooled, the remaining uranium mass, called a derby, was removed. Some derbies were shipped to other DOE sites or were re-melted and molded into ingots. The ingots were sent to the RMI facility in Ashtabula, Ohio, where they were extruded and then returned to Fernald. These materials were then cut and machined to tight specifications for DOE production sites, including Oak Ridge, Rocky Flats, Savannah River and Hanford. The fuel cores produced at Fernald were placed in reactors to produce plutonium and tritium for U.S. Defense Programs.

The present-day Fernald Closure Project (FCP) is divided into seven major projects: Waste Pits Remedial Action Project; On-site Disposal Facility; Operations (Facilities Shutdown/Demolition); Silos Project; Aquifer Restoration/Wastewater Treatment Plant; Soil Characterization and Excavation Project; and Waste Management. FCP remediation is being conducted under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Program. Consistent with the Secretarial Policy Statement on NEPA (June 1994), the procedural aspects of NEPA are being addressed under the CERCLA process at FCP. For non-CERCLA actions, if any, the NEPA process is followed, including Categorical Exclusion determinations and the preparation of Environmental Assessments (EA).

Status of Ongoing NEPA Compliance Activities: Remediation and restoration activities at the FCP account for essentially all work at the site. The substantive requirements of NEPA have been addressed in integrated CERCLA/NEPA evaluations documented in the Feasibility Studies and Records of Decision for the operable units.

Environmental Assessments planned in the next 12 months: None expected.

Environmental Impact Assessments planned in the next 24 months: None Expected

Planned Cost and Schedule for NEPA Reviews identified above: Not applicable.

## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### Miamisburg Closure Project

Background: The Mound Plant served as an integrated research, development and production facility in support of DOE nuclear weapon and non-weapon programs, especially in the areas of chemical explosives and nuclear technology. The principal mission of the Mound Plant was research, development and manufacture of non-nuclear explosive components for nuclear weapons that were assembled at another DOE site. Other major operations at Mound included: manufacture of stable nuclides for medical, industrial and general research; development and manufacture of small chemical heat sources for the national defense program; recovery and purification of tritium from scrap materials generated by Mound and other DOE sites; development and fabrication of radioisotopic heat sources fueled with Plutonium-238 to provide power sources for lunar experiments, satellites and spacecraft; and, surveillance of explosive and radioactive weapons components received from other DOE sites.

As a result of a November 1993 DOE decision to phase out the defense mission at the Mound Plant, all defense-related programs have been transferred to other sites within the DOE complex, and the primary mission of the Mound Plant is now focused on environmental restoration under the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA). The decision to phase out the defense mission at Mound is supported by the Nonnuclear Consolidation Environmental Assessment (DOE/EA-0792), dated June 1993, and the associated Finding of No Significant Impact (FONSI), dated September 14, 1993; and the subsequent Memorandum of Understanding (MOU) between the DOE Defense Programs (DP), Environmental Management (EM) and Nuclear Energy (NE) programs, dated August 1, 1995.

The Environmental Assessment (EA) for Commercialization of the Mound Plant (DOE/EA-1001) and its associated FONSI, issued on October 27, 1994, evaluated the DOE's lease of "developed" portions of the Mound Plant site for purposes of economic redevelopment, so long as those uses were consistent with historical uses of the property/facilities and the site's Future Use Plan. Lessees' operations would be similar to those evaluated in the Mound Plant Alternative of the June 1993 Nonnuclear Consolidation EA. Different uses, including new construction, would be subject to additional NEPA review. On December 8, 1995, sale of the developed portion of the Mound Plant site was categorically excluded from the requirement to prepare additional NEPA documentation (10 CFR 102.1, Subpart D, Appendix A, Class of Action A7: Transfer, lease, disposition or acquisition of interests in property, if property use is to remain unchanged). Since the October 1994 Commercialization EA and, more specifically, the June 1993 Nonnuclear Consolidation EA essentially evaluated a "different use" of the Mound Plant site (i.e., leasing excess DOE property for purposes of

economic development, consistent with the local community's desires), sale of the property could be categorically excluded, similar to the NEPA analyses performed for the Pinellas Plant several months earlier. The above NEPA analyses were closely coordinated with the DOE Headquarters Office of NEPA Policy and Compliance (EH-42). For the remaining (undeveloped) portion of the Mound Plant site, known as the "South Property," an EA was initiated in early CY 1998 for the disposition of the property (~ 123 acres). The EA (DOE/EA-1239) was approved and a FONSI was issued on June 18, 1999. The proposed action under the South Property EA involved the transfer of a land parcel, deemed excess to the DOE's needs, to the DOE-designated Community Reuse Organization (i.e., Miamisburg Mound Community Improvement Corporation [MMCIC]) for purposes of economic redevelopment. Concurrent with the development of the South Property EA, the DOE began negotiating a contract for eventual sale of the entire Mound Plant to the MMCIC. On January 28, 1998, the site sales contract was finalized. The sales contract requires DOE to complete the NEPA and CERCLA requirements for discrete parcels at the Mound site, before conveying title of those parcels to the MMCIC via Quit Claim Deed.

In June 1999, the DOE Office of Nuclear Energy (NE) made an EA Determination, and began preparing a "programmatic" EA entitled "Consolidation of Heat Source Radioisotope Thermoelectric Generator Testing and Assembly Operations at the Mound Site." This EA analyzed the potential environmental impacts associated with the proposed consolidation of Heat Source/Radioisotope Thermoelectric Generator (HS/RTG) assembly and testing operations into existing facilities, and establishing utility connections to the City of Miamisburg. The EA (DOE/EA-1343) was approved and a FONSI was issued in April 2000. The afore-mentioned January 1998 site sales contract excluded property required by the Department for the ongoing NE mission at Mound.

On May 31, 2002, the DOE-NE Program published a Notice of Intent to prepare a second EA entitled "Future Location of Heat Source/Radioisotope Power System [HS/RPS] Assembly and Testing and Operations Currently Located at the Mound Site." The EA was approved and a FONSI was issued on August 30, 2002. Based on the analysis in the EA, the DOE-NE Program determined that selection of any of the alternative locations evaluated in the EA for continuation of the HS/RPS operations was not a major Federal action that would significantly affect the quality of the human environment within the meaning of NEPA. Therefore, the preparation of an Environmental Impact Statement (EIS) was not required. At present, the HS/RPS operations are in the process of being transferred from the Mound Plant to the Argonne National Lab - West facility, located in Idaho. The Department's goal is to complete the transfer process by the end of calendar year (CY) 2003. The Department plans to modify the 1998 site sales contract, mentioned earlier, to reflect relocation of the HS/RPS operations from Mound Plant to the facility in Idaho.

There have been other activities at the Mound Plant that support the sale of land parcels to the MMCIC, upon completion of NEPA and CERCLA requirements. In CY 1999,

Floodplain Protection Environmental Review documents were prepared, as required by 10 CFR 1022, "DOE Regulations for Compliance with Floodplain/Wetlands Environmental Review Requirements," for the transfer of two land parcels to the MMCIC. Both parcels (known as "Parcel H" and "Parcel 4") were within the 100-year Floodplain of the Great Miami River. Accordingly, DOE actions that had the potential to impact the floodplain resource (including actions to transfer property ownership) were subject to public review and comment. For Parcel H, a Floodplain Notice of Involvement (NOI) was published in the *Federal Register* on January 12, 1999, and a Floodplain Statement of Findings (SOF) was published in same on April 26, 1999. Title to Parcel H was subsequently transferred to the MMCIC in August 1999. For the South Property (a portion of which comprised Parcel 4), a Floodplain NOI was published in the *Federal Register* on January 12, 1999, and was included as an appendix in the aforementioned South Property EA. The FONSI for the South Property EA included the Floodplain SOF. Title to Parcel 4 was subsequently transferred to the MMCIC in April 2001.

In CY 1997 and again in CY 1998, the DOE produced a Wetlands Assessment and published a Wetlands NOI in the *Federal Register*, as required by 10 CFR 1022, for the construction of a Consolidated Waste Processing Facility (CWPF), and access thereto, respectively. Initial construction of the CWPF was completed in CY 1998 and construction of the accessway was completed in April 1999. All construction work, including backfilling of wetland areas, was conducted in accordance with the requirements of the U.S. Army Corps of Engineers (USACE) Nationwide Permit (NP) No. 26 under Section 404 of the Clean Water Act. Since this time, no further work under NP 26 has been performed for the CWPF or other areas of the Mound Plant. However, this may change as the environmental restoration project at Mound Plant progresses.

In August 1999, a sitewide delineation of jurisdictional wetlands and other Waters of the United States was performed of the Mound Plant site, in accordance with the USACE Wetland Delineation Manual (1987). On November 10, 1999, the USACE rendered its formal concurrence on the delineation, which was an update to an earlier delineation approved in 1994. Copies of the delineation report were provided to the MMCIC, as a courtesy, since subsequent property owners may be subject to regulatory requirements for the protection of those resources (depending on the new owners' activities in previously-delineated areas). In the meantime, as DOE plans to perform environmental restoration work in or near jurisdictional wetlands or intermittent stream channels regulated by the USACE, it must coordinate its efforts with the USACE under the NP 38 Program. At this point in time, no work under NP 38 is envisioned for the Mound Plant. However, this may change as the environmental restoration project proceeds.

As a result of the August 1999 wetlands delineation, a new wetland was identified on the South Property. This wetland fell within a portion of the South Property that DOE did not convey to the MMCIC in 2001 as part of "Parcel 4." In CY 2002, the DOE determined that there was no programmatic need for this property, and began preparing the CERCLA documentation to support transfer of the "Phase I" parcel (a portion of

which contained the wetland). The 10 CFR 1022 Environmental Review process provides the public an opportunity to comment on a proposed action (in this case, DOE's proposed transfer of property that contains a wetland), before the Agency can implement the proposed action. In accordance with 10 CFR 1022 requirements, the DOE prepared a Wetlands Assessment, and on November 19, 2002, published a Wetlands Notice of Involvement (NOI) in the *Federal Register* for transfer of the wetland on the Phase I parcel. No public comments were received on the NOI, and the Department anticipates transferring the Phase I parcel to the MMCIC in the Spring of CY 2003.

Section 106 of the National Historic Preservation Act requires Federal Agencies to take into account the effects of their actions on properties that are, or are eligible for inclusion, on the National Register of Historic Places. This list includes undiscovered resources as well as districts, sites, buildings, structures or objects. To comply with Section 106, negotiations on a Memorandum of Agreement (MOA) between the DOE and the State Historic Preservation Office (SHPO) began in CY 1999. An agreement could not be reached with the SHPO, so negotiations were elevated to the Advisory Council on Historic Preservation (ACHP). The MOA with the ACHP was finalized on October 18, 2000. The MOA covers 17 Mound Plant buildings which have been deemed **historically-significant** (i.e., Buildings A, B, C, E, G, GH, H, HH, I, M, P, PH, R, SD, T, W and WD). The MMCIC, as the eventual property owner, was actively involved in the DOE's negotiations with the SHPO, and later the ACHP, on the MOA. Not all of the 17 buildings are eligible for inclusion on the National Register of Historic Places. As the environmental restoration work at Mound Plant proceeds, for those buildings that are eligible for inclusion on the National Register, the DOE provides duplicate sets of information to the ACHP and the SHPO. For those buildings that are not eligible for inclusion, the DOE provides information to the SHPO only. The Mound Plant also refined its Cultural Resources Management Plan, including an "Unexpected Discoveries" procedure, during CY 1999 and 2000. The refined management plan was issued in February 2000.

Current objectives of the DOE Miamisburg Closure Project (MCP) include transferring the HS/RPS operations to Idaho, environmental restoration activities under CERCLA, and transition of the site to the MMCIC for reuse as a commercial industrial park. The MCP was originally comprised of nearly 100 buildings on 306 acres. Some of these buildings have already been demolished, or will be demolished, during the course of the environmental restoration project. As of December 31, 2002, the DOE had transferred four land parcels to the MMCIC. These four parcels represent over 41% of the original -306 acres that comprised the DOE Mound Plant site. The CERCLA requirements for transfer of a fifth land parcel (known as "Phase I") were partially completed in CY 2002, and the Department plans to transfer the Phase I parcel to the MMCIC in the Spring of CY 2003. After conveyance of the Phase I parcel to the MMCIC, the remainder of the Mound Plant site will be divided into one or more land parcels, each of which must undergo a CERCLA process before transfer to the MMCIC. The CERCLA process involves multiple opportunities for public review and comment. The DOE's prime

contractor at the MCP is currently in the process of developing a parcel transfer plan. Therefore, at this point in time, it is not clear what future parcel configurations will be, or when those parcels will be ready for transfer. The new parcel transfer plan will be finalized by mid-CY 2003.

Status of Ongoing NEPA Compliance Activities: In March 2001, the DOE-MCP completed a self-assessment of its NEPA compliance program. The focus of the assessment was on the DOE's adherence to NEPA requirements imposed by site-specific procedures. The assessment found that the DOE's NEPA process was functioning in accordance with procedures. In August 2001, the DOE Ohio Field Office issued a revised NEPA procedure, NEPA Quality Assurance Plan and NEPA Public Participation Plan. The revision of these documents was prompted, in part, by the findings of DOE-MCP's March 2001 NEPA self-assessment. The DOE-MCP has incorporated the above three Ohio Field Office NEPA documents into the MCP's Technical Management Plan (TMP). The DOE-MCP may designate a NEPA Compliance Officer in the future, and request delegation of EA approval authority. In the interim, the NEPA Compliance Officer for the Ohio Field Office will continue to process all NEPA documentation on behalf of the MCP. During CY 2003, the MCP anticipates processing a small number of Categorical Exclusions.

Environmental Assessments planned in the next 12 months: None anticipated.

Environmental Impact Statements planned in the next 24 months: None anticipated.

Planned Cost and Schedule for NEPA Reviews identified above: Not applicable.

Evaluation of whether a site-wide EIS is needed: This evaluation is required every three years, and was last provided in the CY 2001 and CY 1998 Annual NEPA Planning Summaries for the MCP. The next evaluation will be included in the CY 2004 Annual NEPA Planning Summary.

## CY 2003 Annual NEPA Planning Summary for the Ohio Field Office

### West Valley Demonstration Project

**Background:** From 1966 to 1972, Nuclear Fuel Services, Inc. (NFS), operated a nuclear fuel reprocessing plant at the Western New York Nuclear Service Center (WNYNSC) near West Valley, New York. The plant, which reclaimed uranium and plutonium from spent nuclear fuel, generated approximately 600,000 gallons of liquid high-level radioactive waste (HLW), which was stored in underground tanks.

In 1980, Congress passed the West Valley Demonstration Project (WVDP) Act, which directed the U. S. Department of Energy (DOE) to do the following: (1) solidify the HLW at the WNYNSC in a form suitable for transportation and disposal; (2) develop containers for the HLW that are suitable for permanent disposal; (3) transport the solidified HLW, in accordance with applicable provisions of law, to an appropriate Federal repository for permanent disposal; (4) in accordance with applicable licensing requirements, dispose of low-level radioactive waste (LLW) and transuranic (TRU) waste produced as a result of solidifying the HLW; and (5) decontaminate and decommission -- (a) the tanks and other facilities of the WNYNSC in which the HLW solidified under the Project is stored; (b) the facilities used in the solidification of the waste; and (c) any material and hardware used in connection with the Project, in accordance with requirements that the Nuclear Regulatory Commission (NRC) prescribes (Public Law 96-368).

In 1982, a Final Environmental Impact Statement (EIS) and associated Record of Decision (ROD) were issued for the actions that DOE proposed to satisfy the first two requirements of the WVDP Act (DOE/EIS-008 1 -F). During the first phase of the WVDP, which was completed in June 1998, the HLW was immobilized in borosilicate glass through vitrification. The canisters of immobilized HLW are currently being stored on-site until DOE authorizes their removal. In 1993 and 1998, the DOE prepared Supplement Analyses of the 1982 Final EIS to re-examine on-going HLW solidification activities as well as other refinements to the actions originally evaluated in the EIS (DOE/EIS-008 1 -S 1 and DOE/EIS-008 1 -S2, respectively). As a result of both analyses, DOE concluded that no environmentally relevant or substantial changes in Project scope had occurred, that no new circumstances or relevant information existed, and that the environmental analyses performed for the 1982 EIS were still valid.

HLW vitrification operations were completed at the end of FY2002. The WVDP has turned its attention and is shifting its resources to the remaining requirements of the WVDP Act -- waste disposal and facility decontamination and decommissioning.

**Status of On-going NEPA Compliance Activities:** The DOE and NYSERDA resumed negotiations in 2001 to reach agreement on a preferred alternative and agency responsibilities for completion of the WVDP and closure or long-term management of the

WNYNSC. Also in 2001, DOE formally initiated its plan to revise the scope of the existing EIS by splitting that scope into two separate EISs -- one for near-term decontamination and waste management, and one for final decommissioning and/or long-term site stewardship. DOE published a Federal Register Notice of Intent in March 2001 (66 FR 16447) formally announcing its rescoping plan and preparation of the decontamination and waste management EIS. After considering public comments on the March 26, 2001 NO1 and additional information, the scope of both EIS's were further modified. DOE decided that the West Valley Waste Management EIS would address only actions pertaining to waste accumulated in storage on site as a result of past Project activities as well as waste to be generated in the near term. The second EIS, the Decommissioning and/or long-term stewardship EIS, would analyze various decommissioning and/or long-term stewardship alternatives and would also include decontamination. Since this second EIS addresses strategies that may be used to complete the WVDP and disposition the Center, DOE now intends that this EIS would revise the 1996 Cleanup and Closure EIS. A draft of DOE's EIS for waste management is scheduled to be issued for public review and comment in 2003. In February 2003, DOE plans to publish an NO1 to prepare the decommissioning and/or long-term stewardship EIS.

Environmental Assessments Planned in the Next 12 Months: No Environmental Assessments are planned for the next 12 months, i.e., calendar year (CY) 2003.

Environmental Impact Statements Planned in the Next 24 Months: As referenced above, two impact statements are projected for the next 24 months:

- 1) The new WVDP Waste Management EIS will be issued for public comment during CY2003. The FEIS is expected to be released in late CY2003. The planned cost and schedule are discussed below.
- 2) The original DEIS for WVDP completion and closure or long-term management of the WNYNSC (DOE/EIS-0226-D) has been re-scoped into the DEIS for decommissioning and/or long-term stewardship. The next step in the development of this EIS will be publication of the Notice of Intent, which is planned for February 2003. The NOI is currently under review by DOE-EM, DOE, EH, and DOE-GC. No firm schedule or projected costs exist at this time however a six month public comment period is planned and a Record of Decision by 2005 is a DOE goal.

Planned Cost and Schedule for the NEPA Reviews Identified Above: i.e., WVDP Decontamination and Waste Management EIS: Battelle Memorial Institute was selected as the NEPA Task Order Contractor for preparation of the Decontamination and Waste Management EIS. The current Battelle total contract cost for preparation of this EIS is \$1072K.



The current schedule for the Waste Management EIS is as follows:

Action	Completion Date
Federal Register Notice of Intent and Announcement of Re-scoping Strategy	March 26, 2001
Waste Management DEIS Public Comment Period	March / April 2003
Issue FEIS	late 2003
, Issue ROD	late 2003

Evaluation of Need for Site-wide EIS: No change in status. The WVDP plans to prepare a site-wide NEPA EIS analysis to meet its obligations under the West Valley Demonstration Project Act, through preparation of the Decommissioning and/or Long-Term Stewardship EIS.